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March 1, 2021

VIA ECF AND ELECTRONIC MAIL

Honorable Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: *Tony Perez v. Preparatory School Company d/b/a Dwight School, et al., 19-CV-6923 (KPF)*

Dear Judge Failla:

We represent the Defendants in the above-referenced matter. We write, on behalf of the parties, to provide Your Honor with the status of arbitration, pursuant to the Order dated November 2, 2020, and to respectfully request a continuance of the stay, so that the parties may finalize this matter. Your Honor previously granted the parties a stay on October 31, 2019, January 31, 2020, August 3, 2020, and November 2, 2020.

We are pleased to advise that the parties have just reached an agreement to settle this matter in principle. The parties are in the process of drafting a settlement agreement.

Based on the foregoing, the parties respectfully request that the Court continue the stay in this matter in order to afford the parties the opportunity to finalize the settlement.

MIRANDA SLONE SKLARIN VERVENIOTIS LLP

MARCH 2, 2021
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Thank you for your consideration of this application.

Respectfully Submitted,
MIRANDA SLONE SKLARIN VERVENIOTIS LLP



Michael A. Miranda

cc: All parties via ECF

The Court is pleased to hear the parties have reached a settlement in principle. All deadlines and conferences are hereby adjourned. Furthermore, the Court ORDERS that this action be conditionally discontinued without prejudice and without costs; provided, however, that on or before **May 3, 2021**, the parties may submit to the Court their own Stipulation of Settlement and Dismissal for the Court to So Order. Otherwise, within such time Plaintiff may apply by letter for restoration of the action to the active calendar of the Court in the event that the settlement is not consummated. Upon such application for reinstatement, the parties shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket, and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within ten (10) days of the application, to schedule remaining pretrial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event that Plaintiff has not requested restoration of the case to the active calendar on or before **May 3, 2021**.

The Clerk of Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case.

SO ORDERED.

Dated: March 3, 2021
New York, New York



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE